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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Indigenous Populations
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REVIEW OF DEVELOPMENTS PERTAINING TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS POPULATIONS, INCLUDING ECONOMIC AND SOCIAL RELATIONS BETWEEN INDIGENOUS PEOPLES AND STATES

Note by the Secretary-General

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Introduction

1. By its resolution 1982/34 of 7 May 1982, the Economic and Social Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually and working group on indigenous populations to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations, including information requested by the Secretary-General annually, and to give special attention to the evolution of standards concerning the rights of indigenous populations.

2. The Sub-Commission, in its resolution 1991/30 of 29 August 1991, requested the Secretary-General to transmit the report of the Working Group on its ninth session (E/CN.4/Sub.2/1991/40/Rev.1) to Governments for specific comments and suggestions for the completion of the first reading of the text of the draft declaration on the rights of indigenous peoples (E/CN.4/Sub.2/1991/40/Rev.1, annex II) and the beginning of the second reading at the tenth session. The Commission on Human Rights endorsed this request in its resolution 1992/44 of 3 March 1992. In accordance with these resolutions, appropriate communications were sent to Governments. The present document contains replies received as of 12 May 1992. Further replies, if any, will be included in addenda to this document.

[20 March 1992]
[Original: Spanish]

Inter-American Indian Institute

1. The Inter-American Indian Institute (IAII), was set up in 1940 by the international agreement known as the "Pátzcuaro Convention". It is one of the specialized organizations of the Organization of American States, and its members are: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States of America and Venezuela; in other words the countries in the Americas which have a sizeable indigenous population.

2. In signing the Pátzcuaro Convention, the contracting Governments agreed "... to identify the problems affecting indigenous population groups within their jurisdiction and to cooperate on the basis of mutual respect (...) in solving the problems of the Indian peoples of the Americas through periodic meetings, an Inter-American Indian Institute and national Indian institutes ...".

3. During its 52 years of continuous activity, IAII has been a decisive factor in indigenism in the Americas. It has formed a bridge of understanding and harmony between the Governments of the region and indigenous populations; it has encouraged scientific study of the situation of indigenous communities and races; it has denounced the injustices to which they are subjected, as well as their low and impoverished state; it has promoted numerous plans, programmes, projects and actions of all kinds with a view to overcoming those conditions and achieving the well-being and development of the American Indians; it has been a constant driving force behind the indigenist policies of the Governments of the region.

4. Founded by eminent humanists and social scientists including Moisés Sáenz, Uriel García, Manuel Gamio and John Collier, IAII has been a centre for the work of generations of historians, sociologists, anthropologists, linguists, politicians and other specialists sympathetic to the plight of the American Indians. Many of these specialists have devoted their lives to defending the rights of American Indians and have fought to ensure them a better way of life.

5. The Institute has published hundreds of books and brochures, which are essential reading for those interested in the society, culture, struggles and interests of the American Indians and are a vital part of any library on current American society. Its 51-year-old journal, América Indígena (Indigenous America), is the most important and oldest journal entirely devoted to providing information on the Indian populations of America and the spread of and support for continental indigenism. Apart from América Indígena, since 1960 the Institute has been publishing Annario Indígena (Indigenist Yearbook) which aims to describe and report on the main events, insurrections and legislative advances concerning the Indian community occurring during the year in the Americas.

6. By 1989, IAII had held 10 Inter-American Indian Congresses, in which government officials, Indian leaders and social scientists participated. The eleventh Congress will be held in 1993, in Nicaragua.

7. Since its foundation, under the leadership of the eminent Mexican anthropologist Manuel Gamio, the Institute has actively pursued the scientific study of Indian populations, focusing attention on their most pressing problems and needs. Between 1966 and 1970, the Institute was headed by the well-known physician-anthropologist Gonzalo Aguirre Beltrán, who expanded its publishing activity significantly. Under the direction of Dr. Oscar Arze Quintanilla between 1977 and 1989, the Five-Year Plan of Indigenist Action was implemented, comprising hundreds of research projects, publications and special action in favour of Indian populations.

8. In 1990, under the direction of the leading Peruvian anthropologist Dr. José Matos Mar, the Institute adopted and launched a new indigenist policy based on the right of Indian populations to develop and to achieve well-being and modern living conditions, on their own cultural terms, while preserving their ethnic identity, languages and traditional lifestyle. The policy also called for the necessary openness to change on the part of American States with indigenous populations, and their redefinition as pluri-cultural and multi-ethnic societies. In support of this policy, the Inter-American Indian Institute has launched two broad continent-wide plans concerned, respectively, with encouraging the ethnic development of the American-Indian populations and developing the Inter-American Indian system.

The indigenous populations of America

9. If the populations of uncertain ethnic identity are excluded, the Indian population of the Americas at the beginning of the last decade of the twentieth century stands at between 30 and 40 million.

10. Despite the danger of imminent extinction that threatens many ethnic minorities across the continent, the overall Indian population is rising. Both the rapid pace of growth of this population and the substantial increase in the numbers migrating to urban areas make it difficult to define the frontiers of the indigenous universe.

11. Without taking into account the groups of uncertain ethnic origin among the urban populations, Indians currently constitute a minority amounting to between 5 and 6 per cent of the total population of the Americas. However, the proportion varies greatly from one country to another. In some countries Indians constitute a fairly insignificant minority, but with figures of between 30 and 60 per cent of the total in certain countries, such as Bolivia, Guatemala, Peru and Ecuador, Indians not only constitute a sizeable part of the population, but their fate and situation are closely related to and linked with the overall situation and future of the countries concerned.

12. Generally, Indians are at the lower end of the social scale in the Americas. They are still depressed and discriminated against at the cultural, social, political and racial levels; they live oppressed by poverty and malnutrition and scourged by disease; they are subject to depredation of their environment by private interests and even by Governments; they are frequently the victims of open or covert attempts to exterminate or forcibly to assimilate and integrate them. In short, both rural and urban Indians constitute the stratus of society which is hit hardest by the acute poverty on the continent.

13. The legal system in some countries restricts the exercise of their civic rights by those who are not credited with fluency in the official language or are illiterate. In other countries, while the right to vote has been granted to illiterate and monolingual Indians, the latter are still unable fully to exercise that right, since they are totally conditioned in their economic, social and political life by the use of the official language.

14. In the slow and tortuous transition over the centuries from segregated race to exploited class, the Indians' social structures, way of life and psychological characteristics have been deeply distorted. The erosion of their indigenous traditions, knowledge and values has been compounded by the pervasion of elements of western cultures and a servility imposed by oppression and poverty. It is an indisputable fact that the current alienation of the American Indian population has been caused by 500 years of colonial and republican dominion, and that the development of their potential is hampered by the structure of internal domination that persists in Latin America.

15. Despite all this, the Indians who have survived the long process of depopulation and dominion preserve a vigorous sense of their historical continuity. The Americas have witnessed a revival of the Indians in recent decades. The indigenous groups are asserting their cultural origins; they are organizing themselves in the new landscape offered by recent events in their respective countries and, through the establishment of various social alliances, they are striving to forge a new, forward-looking identity from their inherited traditions and the modern environment.

16. During the same period. an intermediate sector of the population, which is difficult to define, has steadily been growing. It members, while maintaining links with their place of origin, are playing an increasingly active role in contemporary political, social, cultural and economic life. Their habitat includes both rural and urban areas, town and country. In the cities, the older members of the group are bilingual, but there is a marked tendency among the younger members to forget their native tongues and to adopt the modern urban lifestyle. They are well-known for their contribution to the modern economy and market, either as modern livestock-breeders and farmers, or as labourers, the urban underemployed, small shopkeepers, operators of small-scale industrial and service enterprises and workers in medium-sized and large enterprises. There is also a group on the fringes of society making a precarious living from undeclarable occupations. In some Latin American countries, that group, together with the urban lower classes, are emerging as the majority which seeks to challenge the official order and impose a new order reflecting the true pluri-cultural nature of society.

17. Furthermore, the proverbial indifference of Governments and political parties in the Americas to the "indigenous issue" has disappeared. In its place there is widespread concern, accompanied by actions which have generally demonstrated goodwill rather than a real understanding of the nature of the problem. At the governmental and intergovernmental levels, the most common response to the mobilization of and pressures from Indians and peasants has been economic development action, which has led to the setting up of a host of national, international, governmental and non-governmental, secular and religious agencies for the provision of technical assistance and the planning and implementation of projects of all kinds. Such agencies have been criticized for their verticality and paternalism, the inappropriateness of the technology used, the serious ecological changes resulting from some of the projects implemented, as well as the tendency, in some cases, towards semi-compulsory cultural homogenization and the loss of identity and traditions. There has also been objection to the dispersion and bureaucratization of efforts. A new trend of opinion is now emerging, however, which emphasizes the importance of recovering indigenous traditions and technology and safeguarding the human rights of Indian populations, as well as the need to preserve the habitat and maintain ecological equilibrium.